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Statement of United States Congressman Jim Gibbons

Department of Energy
Public Comment Hearings on Yucca Mountain

*Read into the record
@ Reno 10/4 Public Mtg
by Mike Henderson*

I appreciate the opportunity to join my fellow Nevadans in opposing the Department of Energy's plan to ship and store the nation's high-level nuclear waste in Yucca Mountain, Nevada.

The fate of this project is critical not only to Nevadans, but to all Americans. For nearly 50 years, since the Atomic Energy Commission first took up the issue of nuclear waste disposal in 1956, the federal government has taken on the immense task of finding a viable solution for eliminating our nations growing stock of radioactive waste.

I have personally toured the world's most sensitive nuclear laboratories. Every day, it seems something new and profound comes out of the research and development taking place in these laboratories. Yet I am baffled, that after spending a half-century and billions of tax dollars - your department is on the eve of deciding that the best remedy is to dig a hole and bury this problem.

I hold a Law Degree and a Masters Degree in Geology - I have argued the faults of this project as a lawyer, as a geologist, as a Nevadan and as a representative of Nevada in Congress. I have joined with our United States Senators and my colleague in the House from Nevada's first district in opposing the recommendation of Yucca Mountain as a permanent repository. Our state legislature and local governments have been unified in their absolute opposition. And still, the DOE continues to dig.

Today and for the next 15 days of public comment and participation, you will hear, one by one, Nevada's voice.

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In late August of this year, Nevada's Congressional Delegation formally requested a delay in these hearings until our communities had adequate time to study the recently released Yucca Mountain Site Suitability Evaluation.

Based on our delegation's request and in recognition of the tragic events on September 11, 2001, the Department of Energy delayed and expanded these hearings.

For this, I would like to thank the Secretary for his understanding and cooperation as we all grieve for our lost heroes and unify behind their families.

I only wish this pattern of respect and thoughtful consideration would continue to include *every* aspect of this disastrous project. Sadly, the Department of Energy, under previous administrations and still today, continues to ignore the scientific facts and warnings presented by nuclear energy experts.

As a matter of fact, the DOE has yet to officially verify corrosion rates for the spent fuel storage containers!

Scientists familiar with the region have determined that water will percolate through the mountain and into the repository. The presence of this water would obviously accelerate corrosion of the containers, leading to the release of deadly radionuclides into the environment. And still, you continue to dig.

Another element that cannot be ignored, no matter how carefully DOE reports are worded, concerns the inevitable risks associated with the location of Yucca Mountain-- only 17 miles from the Rock Valley Fault. The Rock Valley Fault is one of the most active fault lines in the U.S. and capable of earthquakes measuring 7.0 on the Richter scale.

A 1998 study at California Institute of Technology concluded that a repository site at Yucca Mountain is at least 10 times more prone to earthquakes and lava flows than government scientists previously estimated. Regrettably, the Preliminary Site Suitability Evaluation's Total System Performance Assessment for the Site recommendation excludes these effects from consideration because, as they put it:

"The waste packages would not be damaged by rockfalls or vibratory ground motion."
(YMPSSSE; DOE/RW-0540; xxvii)

It does not take a scientist to know that a tangible danger with seismic activity involves *not only* falling rock or ground vibrations, but also the water table, which is 300 meters below the proposed repository.

Even former senior DOE geologist Jerry Szymanski has found that an earthquake could dramatically elevate the water table, potentially flooding the repository.

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Mr. Secretary, the Preliminary Site Suitability Evaluation also clearly states:

"The most important residual uncertainty in the TSPA analyses may be in projecting the long-term performance of engineered barriers using data from short-term laboratory tests. Also important are the inherent uncertainties in forecasting changes in climate, certain aspects of seismicity, and other geologic processes over the specified period of compliance." (YMPSSSE; DOE/RW-0540; xxix)

Indeed, those inherent uncertainties are very important to everyone in Nevada and across the country; Uncertainties that nobody, especially the federal government, should ignore.

Another issue the Department has not addressed to my satisfaction is the transportation of nuclear waste along America's commuter highways. The Department of Energy's "Multi-Purpose Canister" proposal indicates that approximately 6,200 truck shipments and 9,400 rail cask shipments will move through 43 states. This high-level nuclear waste caravan will traverse our nation's interstates and railways from nuclear power plants for the next 30 years.

This means that our communities, neighborhoods, households, schools, hospitals and churches may have this deadly substance travelling right outside their front doors - nonstop - for 3 decades.

With the remarkable advances in technology taking place in our nations nuclear laboratories, it seems to me that 30 years of unabated nuclear traffic is an unnecessary and careless solution.

A 1985 DOE contractor report concluded that an accident involving a single, high level nuclear waste cask could result in the release of deadly amounts of radioactive materials in the environment. According to the study, release of only a small fraction of the cask's contents in a rural area would be sufficient to contaminate a 42 square-mile area.

The estimated cost of cleanup after such an accident was estimated to be between \$176 million and \$19.4 billion (depending primarily upon permissible post-accident soil concentrations and upon regulatory requirements for disposal of the contaminated soil).

Cleanup after a similar accident in a typical urban area would obviously be considerably more expensive and time consuming.

Mr. Secretary, please realize that these figures do not reflect the intangible cost of human life and health. Our first priority as elected officials is to ensure the public's health and safety, and this policy fails to achieve this goal.

The Department of Energy cannot continue to ignore the substantial ramifications of a potential disaster.

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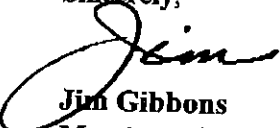
Even former Department employees are speaking out against this Project. Earlier this year, a former DOE official publicly announced that plans for a nuclear waste repository at Yucca Mountain should be abandoned. W. Kenneth Davis, an energy undersecretary from 1981-1983, had proposed the Yucca Mountain repository site under the Reagan Administration. But now, after several years of further study on this issue, Mr. Davis maintains that shipping deadly nuclear waste across the country to Yucca Mountain is a terribly flawed and misguided effort.

He said, "Yucca Mountain as a waste repository is not a reasonable view, and in my opinion should be put in mothballs."

Mr. Secretary, Nevada's Governor, Nevada's delegation in Congress, Nevada's State Legislature, our current and future generations, along with former high-level DOE staff - implore you to reconsider Yucca Mountain as a burial site.

America's future depends on sound science, not convenient politics.

Sincerely,



Jim Gibbons
Member of Congress